

FILED

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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CLERK  
US BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re:

W. R. GRACE & CO., et al.,<sup>1</sup>

Debtors.

) Chapter 11

) Case No. 01-01139 (JKF)

) Jointly Administered

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**NOTICE OF AGENDA OF MATTERS  
SCHEDULED FOR HEARING ON APRIL 25, 2005 AT  
12:00 P.M. BEFORE THE HONORABLE JUDITH K. FITZGERALD**

**PARTIES WISHING TO PARTICIPATE TELEPHONICALLY SHOULD COMPLY  
WITH THE AMENDED ORDER ESTABLISHING CASE MANAGEMENT PROCEDURES  
AND HEARING SCHEDULE [Docket No. 7709]**

**CONTESTED MATTERS**

1. Debtors' Motion for Approval of the Joint Stipulation and Consent Order of the Debtors and the St. Paul Companies, Inc. Concerning the Classification and Treatment of St. Paul's Claim with Respect to the Solow Appeal Bond and for Modification of the Automatic Stay [Filed: 2/14/05] (Docket No. 7775)

**Related Documents:**

- a. [Proposed] Joint Stipulation and Order of the Debtors and the St. Paul Companies, Inc. Concerning the Classification and Treatment of the St. Paul Companies, Inc.'s Claim with Respect to the Solow Appeal Bond and for the Modification of the Automatic Stay [Filed: 2/14/05] (Docket No. 7775, Exhibit A)

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<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homico International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

Response Deadline: March 4, 2005 at 4:00 p.m. (Extended until April 8, 2005 at 4:00 p.m. for the Property Damage Committee, Solow, and the General Unsecured Creditors' Committee)

Responses Received:

- a. Objection of the Official Committee of Asbestos Property Damage Claimants to the Debtors' Motion for Approval of the Joint Stipulation and Consent Order of the Debtors and the St. Paul Companies, Inc. Concerning the Classification and Treatment of St. Paul's Claim with Respect to the Solow Appeal Bond and for Modification of the Automatic Stay [Filed: 4/8/05] (Docket No. 8192)
- b. Response of Sheldon H. Solow, Solow Development Corporation, Solovieff Realty Company, LLC and Solow Building Company, LLC ["Solow"] to: (1) Debtors' Motion for Approval of the Joint Stipulation and Consent Order of the Debtors and the St. Paul Companies, Inc. Concerning the Classification and Treatment of St. Paul's Claim with Respect to the Solow Appeal Bond and for Modification of the Automatic Stay (D.I. 7775); and (2) the Application of the Debtors for the Entry of an Order Authorizing Employment of Cahill, Gordon & Reindel as Special Counsel to the Debtors (D.I. 7776) [Filed: 4/8/05] (Docket No. 8201)

Status: This matter will go forward.

2. Application of the Debtors for the Entry of an Order Authorizing Employment of Cahill, Gordon & Reindel as Special Counsel to the Debtors [Filed: 2/14/05] (Docket No. 7776)

Related Documents:

- a. [Proposed] Order Approving the Application of the Debtors for the Entry of an Order Authorizing Employment of Cahill, Gordon & Reindel as Special Counsel to the Debtors [Filed: 2/14/05] (Docket No. 7776)
- b. Affidavit of Kevin J. Burke in Support of Application of the Debtors for the Entry of an Order Authorizing Employment of Cahill Gordon & Reindel LLP as Special Counsel to the Debtors [Filed: 2/23/05] (Docket No. 7873)

Response Deadline: March 4, 2005 at 4:00 p.m. (Extended until April 8, 2005 at 4:00 p.m. for the Property Damage Committee and Solow)

Responses Received:

- a. Objection of the Official Committee of Asbestos Property Damage Claimants to the Application of the Debtors for the Entry of an Order Authorizing Employment of Cahill, Gordon & Reindel as Special Counsel to the Debtors [Filed: 4/8/05] (Docket No. 8193)
- b. Response of Sheldon H. Solow, Solow Development Corporation, Solovieff Realty Company, LLC and Solow Building Company, LLC ["Solow"] to: (1)

Debtors' Motion for Approval of the Joint Stipulation and Consent Order of the Debtors and the St. Paul Companies, Inc. Concerning the Classification and Treatment of St. Paul's Claim with Respect to the Solow Appeal Bond and for Modification of the Automatic Stay (D.I. 7775); and (2) the Application of the Debtors for the Entry of an Order Authorizing Employment of Cahill, Gordon & Reindel as Special Counsel to the Debtors (D.I. 7776) [Filed: 4/8/05] (Docket No. 8201)

Status: This matter will go forward.

3. Application Pursuant to Federal Rule of Bankruptcy Procedure 2014(a) for Entry of an Order Under Sections 328(a) and 1103(a) of the Bankruptcy Code Authorizing the Employment of Anderson Kill & Olick, P.C. as Special Insurance Counsel for the Official Committee of Asbestos Personal Injury Claimants [Filed: 3/18/05] (Docket No. 8077)

Related Documents:

- a. Verified Statement of Robert M. Horkovich in Accordance With Section 1103 of the Bankruptcy Code an Rule 2014 of the Federal Rules of Bankruptcy Procedure [Filed: 3/18/05] (Docket No. 8077)
- b. [Proposed] Order Pursuant to Federal Rule of Bankruptcy Procedure 2014(a) for Entry of an Order Under Sections 328(a) and 1103(a) of the Bankruptcy Code Authorizing the Employment of Anderson Kill & Olick, P.C. as Special Insurance Counsel for the Official Committee of Asbestos Personal Injury Claimants [Filed: 3/18/05] (Docket No. 8077)

Response Deadline: April 8, 2005 at 4:00 p.m.

Responses Received:

- a. Debtors' Limited Opposition to Application Authorizing the Employment of Anderson Kill & Olick, P.C. as Special Insurance Counsel for the Official Committee of Asbestos Personal Injury Claimants [Filed: 4/8/05] (Docket No. 8202)

Replies Received:

- a. **Reply of the Official Committee of Asbestos Personal Injury Claimants in Support of the Application Pursuant to Federal Rule of Bankruptcy Procedure 2014(a) for Entry of an Order Under Sections 328(a) and 1103(a) of the Bankruptcy Code Authorizing the Employment of Anderson Kill & Olick, P.C. as Special Insurance Counsel for the Official Committee of Asbestos Personal Injury Claimants [Filed: 4/15/05] (Docket No. 8227)**
  - (i) **Motion for Leave to File Reply to Debtors' Limited Opposition to Application Authorizing the Employment of Anderson Kill & Olick, P.C. as Special Insurance Counsel for the Official Committee of**

**Asbestos Personal Injury Claimants [Filed: 4/15/05] (Docket No. 8227)**

Status: This matter will go forward.

CLAIMS OBJECTIONS

4. Debtors' Fourth Omnibus Objection to Claims (Substantive) [Filed: 5/5/04] (Docket No. 5525)

Response Deadline: June 4, 2004 at 4:00 p.m.

Responses Received:

- a. Response of Spaulding & Slye Construction LP (Claim No. 203) to Debtors' Fourth Omnibus Objection to Claims (Substantive) [Filed: 6/3/04] (Docket No. 5701)

**Status: The parties request this matter as it relates to Spaulding & Slye Construction LP be continued until May 16, 2005 at 12:00 p.m.**

5. Debtors' Fifth Omnibus Objection to Claims (Substantive) [Filed: 5/5/04] (Docket No. 5527)

Response Deadline: June 4, 2004 at 4:00 p.m.

Responses Received:

- a. Response to Debtors' Fifth Omnibus Objection filed by Peter P. Pearson [Filed: 5/20/04] (Docket No. 5637)
- b. Supplement to Formal Response to Debtors' Fifth Omnibus Objection to Claims filed by Peter P. Pearson [Filed: 6/1/2004] (Docket No. 5685)
- c. Debtors' Motion for Leave to File Debtors' Reply to Response and Supplemental Response Filed By Peter Pearson to the Fifth Omnibus Objection to Claims [Filed: 3/4/05] (Docket No. 7961)
- i. Debtors' Reply to Response and Supplemental Response Filed by Peter P. Pearson to the Fifth Omnibus Objection to Claims [Filed: 3/4/05] (Docket No. 7961, Exhibit 1)
- d. Claimant's Motion for Summary Judgment (filed by Peter P. Pearson) [Filed: 4/5/05] (Docket No. 8178)

**Status: This matter as it relates to Peter P. Pearson will go forward as a status conference. The parties request that this matter as it relates to David & Michelle Archer, U.S. Bureau of Customs and Border Protection, and Dillingham Manson**

**J.V. be continued until May 16, 2005 at 12:00 p.m. The parties request that this matter as it relates to the remaining disputed claims be continued until June 27, 2005 at 12:00 p.m.**

6. Debtors' Objection to Certain Claims Filed by the Massachusetts Department of Environmental Protection [Filed: 8/27/04] (Docket No. 6271)

Related Documents:

- a. [Proposed] Order Granting Debtors' Objection to Certain Claims Filed by the Massachusetts Department of Environmental Protection [Filed: 8/27/04] (Docket No. 6271)

Response Deadline: October 8, 2004 at 4:00 p.m. Extended to October 26, 2004.

Responses Received:

- a. Massachusetts Department of Environmental Protection's Opposition to Debtors' Objection to Certain Claims Filed By the Massachusetts Department of Environmental Protection [Filed: 10/26/04] (Docket No. 6744)
- b. United States' Objections to Debtors' Objection to Certain Claims Filed By the Massachusetts Department of Environmental Protection [Filed: 10/26/04] (Docket No. 6748)

Status: The parties request that this matter be continued until May 16, 2005 at 12:00 p.m.

7. Debtors' Eighth Omnibus Objection to Claims (Substantive) [Filed: 1/12/05] (Docket No. 7545)

Response Deadline: February 11, 2005, extended to February 25, 2005 at 4:00 p.m.

Responses Received: (none listed as no contested matters are going forward)

Status: **The Debtors have resolved the claim objection as it relates to the disputed claims of Marcella Paulette, New York State, Tennessee Department of Revenue, and Texas Controller of Public Accounts and will submit a proposed order regarding such resolutions. The parties request that this matter as it relates to the disputed claims of the New Jersey Department of Taxation and National Union be continued until May 16, 2005 at 12:00 p.m.**

8. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5698 (Substantive) [Filed: 2/11/05] (Docket No. 7747)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5698 (Substantive) [Filed: 2/11/05] (Docket No. 7747)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

9. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5699 (Substantive) [Filed: 2/11/05] (Docket No. 7748)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5699 (Substantive) [Filed: 2/11/05] (Docket No. 7748)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

10. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5700 (Substantive) [Filed: 2/11/05] (Docket No. 7749)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5700 (Substantive) [Filed: 2/11/05] (Docket No. 7749)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

11. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5701 (Substantive) [Filed: 2/11/05] (Docket No. 7750)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 727 Claim No. 5701 (Substantive) [Filed: 2/11/05] (Docket No. 7750)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

12. Debtors' Objection to United Steel Workers of America Claim No. 13283 (Substantive) [Filed: 2/11/05] (Docket No. 7751)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to United Steel Workers of America Claim No. 13283 (Substantive) [Filed: 2/11/05] (Docket No. 7751)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: The parties are in the process of negotiating this matter and expect to present a stipulation resolving the matter.

13. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7031 (Substantive) [Filed: 2/11/05] (Docket No. 7752)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7031 (Substantive) [Filed: 2/11/05] (Docket No. 7752)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

14. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7032 (Substantive) [Filed: 2/11/05] (Docket No. 7754)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7032 (Substantive) [Filed: 2/11/05] (Docket No. 7754)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

15. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7029 (Substantive) [Filed: 2/11/05] (Docket No. 7755)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7029 (Substantive) [Filed: 2/11/05] (Docket No. 7755)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

16. Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7030 (Substantive) [Filed: 2/11/05] (Docket No. 7756)

Related Documents:

- a. [Proposed] Order Granting the Relief Sought in Debtors' Objection to International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers, Local Lodge 726 Claim No. 7030 (Substantive) [Filed:



2/11/05] (Docket No. 7756)

Response Deadline: March 18, 2005 at 4:00 p.m.

Responses Received: None as of the date of this Notice of Agenda.

Status: This matter will go forward.

#### ADVERSARY MATTERS

17. Motion of The Scotts Company Pursuant to Federal Rule of Civil Procedure 60(b) and Federal Rule of Bankruptcy Procedure 9024 for Relief to the Extent Necessary from the Modified Preliminary Injunction Order Dated January 22, 2002 and/or the Automatic Stay [Filed: 11/15/04] (Docket No. 323) *W. R. Grace & Co., et al. v. Margaret Chakarian, et al. and John Does 1 - 1000* [Adv. Pro. No. 01-771].

Response Deadline: December 15, 2004 at 4:00 p.m.

Responses Received:

- a. Objection of Maryland Casualty Company to Motion of the Scotts Company Pursuant to Federal Rule of Civil Procedure 60(b) and Federal Rule of Bankruptcy Procedure 9024 for Relief to the Extent Necessary from the Modified Preliminary Injunction Order Dated January 22, 2002 and/or the Automatic Stay [Filed: 2/11/05] (Adv. Pro. No. 01-771, Docket No. 355)
- b. Response of One Beacon America Insurance Company and Seaton Insurance Company to the Motion of the Scotts Company Pursuant to Federal Rule of Civil Procedure 60(b) and Federal Rule of Bankruptcy Procedure 9024 for Relief to the Extent Necessary From the Modified Preliminary Injunction Order Dated January 22, 2002 and/or the Automatic Stay [Filed: 2/11/05] (Adv. Pro. No. 04-55083, Docket No. 14)
- c. Objection of Continental Casualty Company and Boston Old Colony Insurance Company to the Scotts Company's Motion Seeking Relief From the Automatic Stay and the Modified Preliminary Junction Order Dated January 22, 2002 [Filed: 2/18/05] (Adv. Pro. No. 01-771, Docket No. 356)

Status: This matter will go forward.

**ADDITIONAL MATTERS**

18. **Motion of the Debtors for an Order Authorizing the Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He Would Provide Consulting Services Related to Debtors' Chapter 11 Cases [Filed: 2/11/05] (Docket No. 7753)**

**Related Documents:**

- a. **[Proposed] Order Authorizing Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He Would Provide Consulting Services Related to Debtors' Chapter 11 Cases [Filed: 2/11/05](Docket No. 7753)**

**Response Deadline: March 4, 2005 at 4:00 p.m.**

**Responses Received:**

- a. **Objection of the Official Committee of Asbestos Property Damage Claimants to the Motion of the Debtors for an Order Authorizing the Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He Would Provide Consulting Services Related to Debtors' Chapter 11 Cases [Filed: 3/4/05] (Docket No. 7959)**
- b. **The Future Claimants Representative's Limited Objection to the Motion of the Debtors for an Order Authorizing the Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He Would Provide Consulting Services Related to Debtors' Chapter 11 Cases [Filed: 3/4/05] (Docket No. 7962)**
- c. **Response and Objection of the Official Committee of Asbestos Personal Injury Claimants to the Motion of the Debtors for an Order Authorizing the Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He Would Provide Consulting Services Related to Debtors' Chapter 11 Cases [Filed: 3/4/05] (Docket No. 7963)**

**Replies Received:**

- a. Debtors' Motion for Leave to File a Reply in Further Support of the Motion of the Debtors for an Order Authorizing the Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He would Provide Consulting Services Related to the Debtors' Chapter 11 Cases [Filed: 3/11/05] (Docket No. 8015)
  - i. Debtors' Reply in Support of the Motion of the Debtors for an Order Authorizing the Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He would Provide Consulting Services Related to the Debtors' Chapter 11 Cases [Filed: 3/11/05] (Exhibit 1, Docket No. 8015)
- b. Certification of Counsel re: Docket No. 7753 [Filed 4/15/05] (Docket No. 8233)
  - i. [Revised Proposed] Order Authorizing Debtors to Enter Into (A) an Employment Agreement with its Current Chief Operating Chief Operating Officer Under Which He Would Assume the Position of Chief Executive Officer of the Debtors ("CEO") and (B) a Post-Retirement Agreement with the Current CEO Whereby He Would Provide Consulting Services Related to Debtors' Chapter 11 Cases [Filed 4/15/05] (Annex 1, Docket No. 8233)
  - ii. Second Supplemental Affidavit of Nick Bubnovich [Filed 4/15/05] (Annex 2, Docket No. 8233)

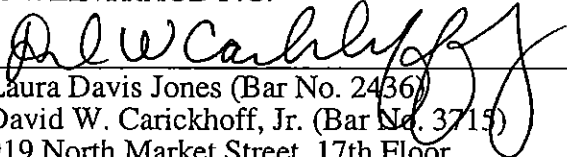
**Status:** The Debtors have filed a Certification of Counsel (see "b" in "Replies Received" above) addressing certain issues raised at the March 21, 2005 hearing. This matter will go forward.

Dated: April 18, 2005

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-and-

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